

PROB 12C  
(7/93)

Report Date: November 24, 2010

## United States District Court

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

NOV 24 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Juvencio Garcia

Case Number: 2:08CR02006-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 05/20/1996

Original Offense: Conspiracy to Distribute a Controlled Substance-Methamphetamine, Cocaine, and Marijuana, 21 U.S.C. §§ 841(a)(1) &amp; 846

Original Sentence: Prison - 160 months; Type of Supervision: Supervised Release  
TSR - 60 months

Asst. U.S. Attorney: Joseph H. Harrington

Date Supervision Commenced: 07/06/2010

Defense Attorney: Roger Peven

Date Supervision Expires: 06/15/2013

## PETITIONING THE COURT

## To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

- 1      **Standard Condition # 2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

**Supporting Evidence:** November 11, 2010, this officer sent a letter to the offender advising him that he had failed to submit a monthly supervision report for the month of October 2010. On November 16, 2010, the offender faxed his monthly report form to this officer.

- 2      **Special Condition # 14:** You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

**Supporting Evidence:** On November 23, 2010, this officer was contacted by the director of the RRC in Spokane. The director informed this officer that the Bureau of Prisons (BOP) indicated to her that Mr. Garcia is not following the rules of the RRC. As a result, he is no longer welcome at their facility.

RE: GARCIA, Juvencio

Docket No.: 2:08CR02006-001

Page 2

3

**Special Condition # 15:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** On November 22, 2010, the U.S. Probation Office received an unsuccessful discharge summary report from Pioneer Human Services (PHS) in Spokane, Washington. The report indicates the following: "Patient has been in continuous non-compliance with treatment and appears to not be amenable to chemical dependency treatment at this time." The report also indicates that the offender told the PHS receptionist the following about his chemical dependency therapist: "If Mitch does not return my call, I will be waiting for him in the shadows of the parking lot." This incident occurred on December 17, 2010.

The discharge summary report prognosis states the following: "Patient has poor chances of succeeding in the conventional chemical dependency treatment. He poses a danger to others and himself if he continues to use in the community." The report also recommends the following for the offender: "It is my belief that patient would benefit from continuing to be in BOP custody."

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/24/2010

s/Brenda J. Kuest

Brenda J. Kuest  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other



Signature of Judicial Officer

November 24, 2010

Date